



<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>D. EDWARD HAYS, #162507 ehays@marshackhays.com BRADFORD N. BARNHARDT, #328705 bbarnhardt@marshackhays.com MARSHACK HAYS WOOD LLP 870 Roosevelt Irvine, CA 92620 Telephone: (949) 333-7777</p> <p><input type="checkbox"/> Individual <i>appearing without an attorney</i> <input checked="" type="checkbox"/> Attorney for: Houser Bros. Co.</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION</p> <p style="text-align: right;"></p>	
<p>In re: JAMIE LYNN GALLIAN</p> <p style="text-align: right;">Debtor(s)</p>	<p>CASE NO.: 8:21-BK-11710-SC CHAPTER: 7 </p> <hr/> <p>NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE: <i>(title of motion¹)</i>: <u>Motion to Convert Case Under 11 U.S.C.</u> <u>Sections 706(a) or 1112(a)</u></p>

PLEASE TAKE NOTE that the order titled Order Denying Debtor's Motion to Convert Case Under 11 U.S.C. Sections 706(a) or 1112(a)

was lodged on (date) 10/22/2024 and is attached. This order relates to the motion which is docket number 438.

¹ Please abbreviate if title cannot fit into text field.



Bankruptcy LODGED ORDER UPLOAD FORM

Tuesday, October 22, 2024

CONFIRMATION :

Your Lodged Order Info:

(**11311552.doc**)

[A new order has been added](#)

- **Office:** [Santa Ana](#)
- **Case Title:** [Jamie Lynn Gallian](#)
- **Case Number:** [21-11710](#)
- **Judge Initial:** [SC](#)
- **Case Type:** [bk \(Bankruptcy \)](#)
- **Document Number:** [438](#)
- **On Date:** [10/22/2024 @ 10:29 AM](#)

Thank You!

United States Bankruptcy Court
Central District of California
Edward R. Roybal Federal Building and Courthouse
255 East Temple Street
Los Angeles, CA 90012

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HOUSER BROS. CO. dba RANCHO DEL
7 REY MOBILE HOME ESTATES

8 UNITED STATES BANKRUPTCY COURT

9 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

10 In re
11 JAMIE LYNN GALLIAN,
12 Debtor.

Case No. 8:21-bk-11710-SC

Chapter 7

ORDER DENYING DEBTOR’S MOTION TO
CONVERT CASE UNDER 11 U.S.C. §§ 706(a)
OR 1112(a)

[NO HEARING SET]

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19 On September 10, 2024, Jamie Lynn Gallian (“Debtor”) filed a “Motion to Convert Case
20 Under 11 U.S.C. §§ 706(a) or 1112(a)” (“Motion to Convert”). Docket No. 438; *see also* Docket
21 No. 439 (“Notice of Motion and Motion to Convert Debtor’s Chapter 7 to Chapter 13; Declaration
22 of Jamie Lynn Gallian in Support if [sic] Debtors [sic] Request to Convert Chapter 7 to Chapter 13;
23 Memorandum [sic] Points & Authorities”).

24 Local Bankruptcy Rule 1017-1(a)(4) requires a request for conversion under Section 706(a)
25 to a case under Chapter 13 to be done by motion which, unless otherwise ordered by the Court, may
26 be granted “only after notice of the opportunity to request a hearing . . . as provided in LBR 9013-
27 1(o).”
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1 On September 23, 2024, Houser Bros. Co. dba Rancho Del Rey Mobile Home Estates
2 (“Houser Bros.”) filed an “Opposition to Debtor’s Motion to Convert Case Under 11 U.S.C.
3 § 706(a)” (“Opposition”). Docket No. 449. On September 24, 2024, the Chapter 7 Trustee filed a
4 joinder in the Opposition. Houser Bros.’s Opposition included an express request for hearing on the
5 Motion pursuant to Local Bankruptcy Rule 9013-1(o)(1)(A)(ii). *Id.* at 1, 4.

6 Local Bankruptcy Rule 9013-1(o)(4) provides as follows:

7 If a timely response and request for hearing is filed and served, within 14 days from
8 the date of service of the response and request for hearing the moving party must
9 schedule and give not less than 14 days notice of a hearing to those responding and to
the United States trustee. If movant fails to obtain a hearing date, the court may deny
the motion without prejudice, without further notice or hearing.

10 Debtor was required to schedule and give notice of a hearing on her Motion to Convert on or
11 before October 7, 2024. To date, the Debtor has not scheduled or given notice of any hearing. On
12 October 22, 2024, Houser Bros. filed a “Declaration of D. Edward Hays Re: Request for Hearing on
13 Debtor’s Motion to Convert Case under 11 U.S.C. §§ 706(a) or 1112(a).”

14 As such, the Court enters its order as follows:

15 IT IS ORDERED that the Motion to Convert is denied.

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **NOTICE OF LODGMENT** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **October 22, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **October 22, 2024**, I ☒ served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR

JAMIE LYNN GALLIAN
16222 MONTEREY LN UNIT 376
HUNTINGTON BEACH, CA 92649

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **October 22, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:

PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
411 WEST FOURTH STREET, SUITE 5130 /
COURTROOM 5C
SANTA ANA, CA 92701-4593

VIA EMAIL:

DEBTOR

JAMIE LYNN GALLIAN
jamiegallian@gmail.com

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

October 22, 2024 Layla Buchanan

Date

Printed Name

/s/ Layla Buchanan

Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** CONTINUED:

- **ATTORNEY FOR CREDITOR AND PLAINTIFF HOUSER BROS. CO. and CREDITOR HOUSER BROS. CO. DBA RANCHO DEL REY MOBILE HOME ESTATES:** Bradford Barnhardt bbarnhardt@marshackhays.com, bbarnhardt@ecf.courtdrive.com, kfrederick@ecf.courtdrive.com
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- **ATTORNEY FOR DEFENDANT RANDALL L NICKEL:** Mark A Mellor mail@mellorlawfirm.com, mellormr79158@notify.bestcase.com
- **INTERESTED PARTY COURTESY NEF:** Valerie Smith claims@recoverycorp.com
- **U.S. TRUSTEE:** United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov

4864-9726-8711, v. 1